

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Mag. No. 14-6694

v. : Hon. Joseph A. Dickson

PAUL J. SPISTO : **CRIMINAL COMPLAINT**

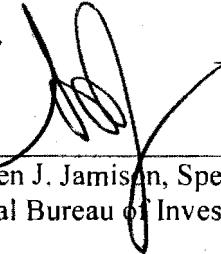
I, Stephen J. Jamison, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

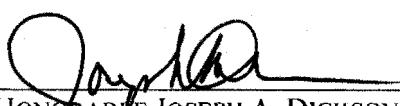
I further state that I am a Special Agent with the Federal Bureau of Investigation and that this Complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.


Stephen J. Jamison, Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,
on July 29, 2014, at Newark, New Jersey


HONORABLE JOSEPH A. DICKSON
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

Count 1

On or about December 3, 2012, in Middlesex County, in the District of New Jersey, and elsewhere, the defendant

PAUL J. SPISTO

did knowingly distribute child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that had been mailed, and using any means and facility of interstate and foreign commerce, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Section 2252A(a)(2) and 2252A(b)(1) and Title 18, United States Code, Section 2.

Count 2

On or about December 24, 2012, in Middlesex County, in the District of New Jersey, and elsewhere, the defendant

PAUL J. SPISTO

did knowingly distribute child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that had been mailed, and using any means and facility of interstate and foreign commerce, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Section 2252A(a)(2) and 2252A(b)(1) and Title 18, United States Code, Section 2.

ATTACHMENT B

I, Stephen J. Jamison, am a Special Agent with the Federal Bureau of Investigation. I have knowledge of the following facts based upon both my investigation and discussions with other law enforcement personnel and others. Because this affidavit is being submitted for the sole purpose of establishing probable cause to support the issuance of a complaint, I have not included each and every fact known to the government concerning this matter. Where statements of others are set forth herein, these statements are related in substance and in part. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. On or about December 18, 2012, an undercover law enforcement agent accessed a Usenet newsgroup (the "Usenet newsgroup")—a publicly-available Internet forum that allows users to post messages and share files—and observed that an individual had posted certain files containing images of child pornography on or about December 3, 2012. These files could be accessed by other members of the Usenet newsgroup. Law enforcement discovered that the account used to post the images on the Usenet newsgroup was held in the name of the defendant PAUL J. SPISTO ("SPISTO"). Law enforcement also discovered that the Internet Protocol ("IP") address used to post the images was registered to SPISTO's home address.

2. The undercover agent identified approximately 1,500 image files that were posted on the Usenet newsgroup, through SPISTO's account. The images depicted several series of children in various stages of undress. Accordingly, many of these images constituted child pornography. Three of the files posted by SPISTO are described as follows:

IMAGE	FILENAME	DESCRIPTION
1	crazyholiday17-058.jpg	This is a color image of a young pubescent female with light-brown hair. She is completely naked in what appears to be a pose, kneeling on her right knee. Her left hand is on her left thigh and her right hand is on her right hip/buttocks area. She is kneeling on a beach with water immediately behind her and a shoreline with what appears to be trees in the distance. There is a printed symbol in both the upper left-hand and lower right-hand corners of the image. The symbol is of a blue umbrella with a yellow outline. Underneath the umbrella are the words "CRAZY" in white letters and "HOLIDAY" in yellow letters.
2	lolitaskingdom-32-038.jpg	This is a color image of a prepubescent female with dark-blondish long hair and light-colored eyes. She is naked lying slightly back on what appears to be a bed with a patterned blanket that is blue, brown and white. Her knees are bent with her genitalia exposed. Her right hand is on her right knee. There are two white-colored light fixtures on the back wall with their

IMAGE	FILENAME	DESCRIPTION
		lights on. There is a white castle-like symbol in the upper right corner with the words "WWW.LOLITASKINGDOM.COM" written underneath it in white.
3	lolitaskingdom-32-019.jpg	This is a color image of a prepubescent female with long blond hair. She is naked sitting on a multi-colored rug, which is set on a brown hardwood floor. She is sitting against a white wall with her knees bent, exposing her genitalia. She is wearing a necklace around her neck. There is a white castle-like symbol in the upper right corner with the words "WWW.LOLITASKINGDOM.COM" written underneath in white.

3. On or about January 29, 2013, an undercover law enforcement agent accessed the Usenet newsgroup referenced in paragraph 1 and observed that additional files containing child pornography had been posted through SPISTO's account on or about December 24, 2012.

4. The undercover agent accessed approximately 35 video files. The videos depicted children in various stages of undress. Accordingly, many of these videos constituted child pornography. One of the videos downloaded by the undercover agent from SPISTO is described as follows:

VIDEO	FILENAME	DESCRIPTION
1	004 (2).avi	The video shows a young prepubescent female sitting on a bed with a dark brown headboard and a brownish-orange, patterned blanket. There are several stuffed animals at the head of the bed along with several small pillows. The female is wearing a white, buttoned-down blouse with tan underwear and white socks. Her shirt is unbuttoned, exposing her breasts. The female moves around the bed and plays with the stuffed animals. The female then lies onto her back and removes her underwear, exposing her genitalia. The camera focuses on the female's genitalia and breasts and then focuses back out. The female then plays with several stuffed animals while continuing to lie on her back. The camera pans around the female and then focuses in again on the female's genitalia and breasts.

5. On January 8, 2014, SPISTO met with law enforcement agents and admitted that he had distributed images and video files depicting child pornography through the Usenet newsgroup referenced in paragraph 1, above. SPISTO also admitted that he regularly used the Internet to download images and videos depicting child pornography.

6. SPISTO consented to law enforcement searching his computer and two hard drives, which were found at his residence. Among the files law enforcement found on the computer and hard drives belonging to SPISTO were images and videos depicting child pornography, as defined by Title 18, United States Code, Section 2256(8), including material involving prepubescent minors as well as sadistic or masochistic conduct or other depictions of violence.

7. Based upon my training and experience, and the investigation to date, I have determined that the images and videos described above in paragraphs 2, 4, and 6 traveled in interstate commerce and were produced using materials that were mailed and shipped and transported in and affecting interstate and foreign commerce.